

# **LONG-TERM-CARE COORDINATING COUNCIL**

## **Full Council Meeting**

**September 8, 2004**

**Senate Lounge – State House**

**Providence, Rhode Island**

## **Meeting Minutes**

**The meeting was called to order by Chairman Fogarty at 10:10AM**

**In attendance were:**

**Lt. Gov. Charles J. Fogarty, Chairman**

**Neil Corkery, Co-Vice Chair, Anna Tucker, Co-Vice Chair**

**Maureen Maigret, Executive Director**

**Bill Jackson**

**Cynthia Conant-Arp (rep Rick Ryan)**

**Dr. Herb Constantine**

**Jim Flanagan**

**Robert DiCenso**

**Dick Freeman**

**Sen. June Gibbs**

**Roberta Hawkins**

**Kathleen McNamee**

**Elizabeth Morancy**

**Raymond Rusin**

**Angelo Rotella**

**Corinne Russo**

**Al Santos**

**Bonnie Sekeres**

**Karen Smith**

**Cindy Soccio**

**Kathleen Spangler**

**Susan Sweet**

**Sr. Marrietta Walsh (rep. Carlo Gamba)**

**John Young (rep. Director Hayward)**

**Guests:**

**Kathleen McKeon Susan Saccocia Olsen**

**Frank Spinelli Kathleen Kelly Christopher Novak**

**Roberta Merkle Mike Cronan Caroline Malloy**

**Margaret Sullivan Joan Kwaitkowski Liz Anderson**

**Dr. Kate McCarthy-Barnett John McGehearty Paula Parker**

**Bob Caffrey Kelly Lee Mary Lescault**

**Susan Leone Judy Jones Tammy Martin**

**Joan and John McLaughlin Jennifer Levitz Linda Liberte**

**Dave Greene Cornelia Schacht Mark Leone**

**September 8, 2004**

**Approval of Minutes of June 9, 2004 – On motion of Mr. Corkery, seconded by Mr. DiCenso, minutes of June 9, 2004 were unanimously approved as presented**

### **Chairman's Report**

**1. Chairman Fogarty introduced as a guest, Mr. Christopher Novak, the new Executive Director of RIAFSA**

**2. LTCCC NEWSLETTER – The July 2004 edition was published and distributed – extra copies are available and the newsletter has also been put on the LTCCC website**

**3. Nursing Facility Closure Task Force – Creation of this Task Force was announced on June 9th after last full LTCCC meeting. The Task Force has met on June 23rd & 30th, July 21st, August 18th. On**

**August 24th, the Chairman issued a Press Announcement calling for the following "four" Immediate Actions:**

**Notification of family members when a resident's care is being monitored by HEALTH**

**Timely public reporting of survey results on the web**

**Crisis Management Team/s to be put in place whenever residents are in "immediate jeopardy"**

**Monthly reports to LTCCC on deficiencies with a new state guideline for "substandard care" based on Level G (actual harm)**

**The Next Meeting of Task Force is tentatively scheduled for September 16th**

**The Agenda will include:**

**Dr. Robert Quigley – Chair, Health Services Council**

**DEA and Roberta Hawkins (state ombudsman) to discuss Role of ombudsman and Alliance for Better Long Term Care**

**HEALTH staff -- responses to follow-up questions**

**4. On September 1st, Chairman issued news release calling for Additional Assisted Living Inspector at HEALTH and this morning he had a meeting with Governor Carcieri who reported they would be adding an additional inspector for assisted living.**

**(Copy of Press Release Distributed – Attachment # 1)**

5. Chairman noted his office has received inquiries regarding the status of legislative grants for senior programs/adult day services, etc and he asked Director Russo if she had any information on this. Ms. Russo responded that she did not believe any of the legislative grants from her department were in any jeopardy. Chairman Fogarty asked John Young (DHS) and Kathleen Spangler (MHRH) if they had anything to report on this matter and they did not.

6. Chairman announced that on September 21, BOOMING INTO THE FUTURE II: "FINANCING YOUR INDEPENDENCE" co-sponsored by LTCCC, AARP, Brown and Fannie Mae will be held at Crown Plaza from 8:30AM to 2PM

A flyer with information to call for reservation was distributed at meeting (RESERVATION CALL: 1-877-926-8300). See Attachment #2.

#### **RI HEALTH Monthly Survey Report – Ray Rusin**

Mr. Rusin discussed a report he distributed on HEALTH's survey activities for the month of July. (See Attachment #3). He noted that the report included a facility that had been cited for substandard care using a threshold definition for substandard care as being a level "G" in scope and severity (actual harm) or greater. The report also listed all facilities surveyed and the outcome including those found to be "Non-compliant" during the survey. There was much discussion in regards to the report. Mr. Santos noted that the term Non-compliant could refer to deficiencies of a very minor nature and that they in fact

may have already been corrected and that the report was misleading for the public in that it did not give the full picture or put the information in context. Ms. Hawkins questioned whether families or guardians should be notified whenever a resident is harmed. Ms. Sweet questioned the timeframes for the process and if quicker action was needed. Ms. Sekeres suggested that on admission a resident should be requested to sign a waiver to notify family or guardians if they were to be found "at risk". Ms. Maigret noted that the report was done to comply with a 1999 law stating that HEALTH notify the LTCCC when a facility was cited for "substandard care". HEALTH had not been complying with this and she and Mr. Rusin met to discuss a process for making these reports. It was determined that the federal law uses the term "substandard quality of care" and is a very high threshold in that there needs to be "immediate jeopardy" of an isolated nature or a pattern of "actual harm" or widespread potential for actual harm" in certain areas. She and Mr. Rusin recommended that to meet the state law a finding of "Actual Harm – Level G" would be appropriate. She also noted that she had suggested the report include facilities found to be in substantial compliance and those with no deficiencies. Mr. Rotella questioned the advisability of this. Chairman Fogarty requested that Ms. Maigret convene a small Work Group to include HEALTH, Ms. Hawkins, Mr. Santos and appropriate others to further discuss the content and format for these reports.

## **V. Committee – Project Reports**

**Fall Prevention Partnership – Ms. Maigret reported that the LTCCC and RIALA had partnered to sponsor two "Exercise-based Fall Prevention" trainings with Anne Marie Connolly from URI as faculty. The first session was held on August 26th and the second is scheduled for September 22. Response has been very positive and the September session is fully subscribed. If there is additional interest, a third session will be held. The FALL PREVENTION PARTNERSHIP members will be invited by Director Nolan and Chairman Fogarty to attend a Strategy session on fall prevention convened by HEALTH's Injury Advisory Council. This meeting will be the first of several and will take place on September 30th at 2PM at the AARP offices in Providence.**

**Assisted Living Workgroup – Ms. Maigret reported that this Work Group has not met. However, several persons have questions regarding the Court Order on the Assisted Living Waiver and how the state may respond to the waiting list. Ms. Maigret asked Mr. Young if he could discuss this at the next LTCCC meeting.**

**Assisted Living Survey – SSI residents – Mr. Spinelli, Administrator of DHS Center for Adult Health reported that the survey was completed by RIC Social Work students with excellent response (110 completed) and cooperation of ALR administrators. He anticipates a report will be ready for discussion at the end of October.**

**"Almost Home" – RIPBS/Lt. Gov. Office project – Ms. Maigret reported that she will be attending a national planning summit for this project with RIPBS staff on September 9th and 10th this week in Milwaukee,**



**WI.**

## **VII. 2004 WORK PLAN – Status Reports**

**PACE project – Mr. Spinelli reported that this project is moving on schedule. DHS is working on a rate study for the program and CARELINK is developing the necessary Chapters for the application to submit to CMS. Funding will be addressed by DHS in their FY2006 budget proposal and the State Plan amendment will be developed. Ms. Maigret asked if it was still the case that legislation was not needed to move forward with this amendment. Mr. Young said this was correct and that it was not necessary to do the budget piece before submitting the State Plan amendment.**

**Web-based Resource Directory – Mr. Spinelli reported that DHS was in the process of developing the RFP for this project. The design will include interactive interfaces for consumers so some benefits screening can take place. Funding for this project is coming from the ONE-STOP grant and the REAL CHOICES grant. A direct web application feature will not initially be available, but will be considered for future.**

### **Oral Health Services & Nursing Home Residents - Carelink grant**

**Ms. Maigret reported that Joan Kwiatkowski would be at a national meeting on oral health care that may provide some useful information**

for planning for this project.

## **Other**

Mr. Corkery reported that the Legislative Commission Studying the Issue of a Community Service Provider Index had completed its work and issued a report and provided a copy for the Chairman. Ms. Maigret stated that she would make sure all LTCCC had access to the report.

Legislative grants. Ms. Conant Arp indicated that the delay in issuing legislative grants put adult day service programs in jeopardy financially. Ms. Morancy noted that many of the legislative grants go back many years and that they are important for aging services.

Ms. Morancy reported that the Alzheimer's Association annual MEMORY WALK would take place on September 26th and that Director Corinne Russo was this year's Honorary Chair.

Mr. Santos asked if there had been any response from HUD regarding providing information about the financing of Hillside Health Center. Ms. Maigret reported that HUD local office had been invited to Nursing Facility Closure Task Force, but had declined invitation. Lt. Gov. Fogarty has sent a letter under the federal FOI provisions requesting documents relating to this HUD financing and is waiting for information to be returned.

Chairman Fogarty congratulated LTCCC member Bonnie Sekeres for her 25th anniversary of providing leadership and management for Shalom Housing in Warwick and all joined in recognizing this achievement.

**RI Assisted Living Resident Survey Results-- Presentation by Linda LaLiberte of the BROWN Center for Gerontology -- See Attachment #4)**

**Adjournment – Chairman Fogarty adjourned the meeting at 11:55AM and reminded**

**persons of the BOOMING INTO THE FUTURE II Forum on September 21st.**